

## **PROPOSED DEVELOPMENT CONDITIONS**

**SE 2014-MV-041**

**January 9, 2015**

If it is the intent of the Board of Supervisors to approve Special Exception SE 2014-MV-041 located at Tax Map 113-1 ((1)) 14 part for a private club (radio control model aircraft park) pursuant to Sect. 3-C04 of the Fairfax County Zoning Ordinance, and if it does not restrict the ongoing operations of the subject property, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the private club use indicated on the special exception plat approved with the application, as qualified by these development conditions. Other by-right, special permit, and/or special exception uses may be permitted on the application property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Lorton RC Air Park" that was prepared by Fairfax County Department of Public Works and Environmental Services, Capital Facilities, Land Survey Branch on March 11, 2014, and revised through October 9, 2014, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Use of the Landfill Radio Control Model Aircraft Park (Aircraft Park) shall be restricted to members in good standing of the Northern Virginia Radio Control Club (NVRC) and their guests.
5. The Aircraft Park shall only be available for radio control model aircraft use when a NVRC member is present.
6. The days and hours of the use of the Aircraft Park shall be established by a Memorandum of Agreement (MOA) between the County of Fairfax and NVRC.
7. The name and phone number of the NVRC safety officer shall be provided to the DPWES Solid Waste Management Program and to the County's Insurance

Manager in the manner set forth in the MOA and shall be provided each time a new person is designated as a safety officer.

8. NVRC may conduct special events at the Aircraft Park, which shall be approved in advance by the DPWES Solid Waste Management Program. The number of events, attendees, and overflow parking shall be established in the MOA.
9. NVRC shall adhere to the operational restrictions and all terms and conditions set forth in the MOA.
10. NVRC shall be responsible for all site activities at the Aircraft Park as set forth in the MOA.
11. NVRC shall secure and maintain a liability insurance policy covering itself and its members and shall name the County, DPWES employees, and volunteers as "additional insured" on the policy. A copy of the certificate of insurance shall be provided to DPWES and the County's Insurance Manager in the manner set forth in the MOA.
12. NVRC shall be solely responsible for obtaining any necessary licenses and for complying with any applicable Federal, State, and municipal laws, codes, and regulations with the use of the Aircraft Park.
13. Maintenance responsibilities of the Aircraft Park shall be in accordance with the conditions set forth in the MOA.
14. An improved parking area shall be provided in accordance with Article 11 of the Zoning Ordinance and all applicable ordinances.
15. NVRC shall fully and completely comply with the MOA.
16. Use of the Aircraft Park for radio-controlled aircraft operation or maintenance shall not occur during any time period in which the MOA is not in effect, whether by termination or otherwise.
17. Prior to site plan approval, the applicant shall demonstrate that all applicable stormwater regulations have been met.
18. The applicant shall suspend use of the Aircraft Park when the Workhouse Foundation, Inc. provides at least 48 hours' notice to the current NVRC President that outdoor performances may be disturbed by noise from the Aircraft Park, excluding special events at the Aircraft Park previously coordinated between the Workhouse Foundation, Inc. and the applicant.
19. NVRC shall coordinate its special events with the Workhouse Foundation, Inc. by providing a minimum of 60 days' notice of special events to the Workhouse Foundation, Inc. Upon receipt of such notice, the Workhouse Foundation, Inc. shall have two weeks to respond to the applicant in with any concerns.

20. NVRC shall provide notice to Davidson Airfield of its anticipated yearly flight schedule and special events.
21. Aircraft are only permitted to fly in the overflight area as identified on the SE Plat.
22. If the MOA is terminated, this SE shall expire.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board of Supervisors.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.